## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

MICHAEL W. HARRIS, et al. \* Case No. 1:01cv428

Plaintiffs \*

v. \* Judge S. Arthur Spiegel

PURDUE PHARMA, INC., et al. \*

Defendants \*

# ABBOTT DEFENDANTS' AND PURDUE DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' MOTION TO DISMISS WITHOUT PREJUDICE

Pursuant to Rule 7.3(a) of the Local Rules of the United States District Court for the Southern District of Ohio, Defendants Abbott Laboratories and Abbott Laboratories, Inc. (collectively "Abbott Defendants"), Purdue Pharma L.P., Purdue Pharma Inc., The Purdue Frederick Company (collectively "Purdue Defendants"), hereby move for an extension of time, until November 24, 2003, to respond to Plaintiffs' Motion to Dismiss Without Prejudice. Counsel for Plaintiffs has consented to the extension of time requested in this Motion, and an Agreed Order granting this motion will be submitted to the Court pursuant to Section II(E) of the Electronic Filing Policies and Procedures Manual.

## Respectfully submitted,

## s/ Phillip J. Smith

David S. Cupps, Esq.
Daniel J. Buckley, Esq. (0003772)
Phillip J. Smith, Esq.
VORYS, SATER, SEYMOUR & PEASE LLP
Suite 2100, Atrium Two
221 East Fourth Street
P.O. Box 0236
Cincinnati, Ohio 45201-0236
(513) 723-4002; (513) 723-4056 (FAX)

Attorneys for Defendants, Purdue Pharma, L.P., Purdue Pharma Inc., and Purdue Frederick Company

### s/ Joseph P. Thomas

Joseph P. Thomas (Ohio Reg. 0040379) ULMER & BERNE LLP 600 Vine Street, Suite 2800 Cincinnati, Ohio 45202-2409 (513) 762-6200; (513) 762-6250 (FAX)

Attorney for Defendants Abbott Laboratories and Abbott Laboratories, Inc.

#### MOTION CONSENTED TO BY:

s/ Janet G. Abaray

Janet G. Abaray, Esq. (0002943) LOPEZ, HODES, RESTAINO, MILMAN, SKIKOS & POLOS 312 Walnut Street, Suite 2090 Cincinnati, Ohio 45202 (513) 852-5600; (513) 852-5611 (FAX)

### **Attorney for Plaintiffs**

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 17, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Janet G. Abaray, Esq. LOPEZ, HODES, RESTAINO MILMAN, SKIKOS & POLOS 312 Walnut Street Suite 2090 Cincinnati, Ohio 45202 **Attorneys for Plaintiffs** 

David S. Cupps, Esq. VORYS, SATER, SEYMOUR & PEASE LLP 52 East Gay Street Columbus, Ohio 43216-1008 and Daniel J. Buckley, Esq. VORYS, SATER, SEYMOUR & PEASE LLP 221 E. 4<sup>th</sup> Street Suite 2100, Atrium Two Cincinnati, Ohio 45202-0236 Attorneys for Purdue Pharma L.P., Purdue Pharma, Inc., and **Purdue Frederick Company** 

s/ Joseph P. Thomas

Joseph P. Thomas (0040379) Attorney for Defendants Abbott Laboratories and Abbott Laboratories, Inc. ULMER & BERNE LLP 600 Vine Street, Suite 2800 Cincinnati, Ohio 45202-2409 (513) 762-6200; (513) 762-6250 (FAX) E-mail: jthomas@ulmer.com